

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 4, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-14270 - APPLICANT: KEN BALLARD - OWNER: CAROL E. MEYER

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend a portion of the Southeast Sector Plan of the Master Plan from L (Low Density Residential) to M (Medium Density Residential) on 0.19 acres at the northeast corner of "H" Street and Byrnes Avenue.

EXECUTIVE SUMMARY

This application seeks to change the General Plan land use designation of the subject property located at the northeast corner of "H" Street and Byrnes Avenue from L (Low Density Residential) to M (Medium Density Residential). A companion Variance (VAR-14273) and a Site Development Plan Review (SDR-14277) will be heard concurrently with this item.

BACKGROUND DATA:

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|----------|---|
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 08/18/99 | The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre. |
| 09/06/99 | The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Southeast Sector Plan Area as described in the Plan. |
| 07/27/06 | The Planning Commission recommended denial of companion items VAR-14273 and SDR-14277 concurrently with this application. |
| 07/27/06 | The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #30/ng). |

DETAILS OF APPLICATION REQUEST

Site Area: 0.19 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Single-family Residential
South	Undeveloped
	Single-family Residential
East	Single-family Residential
West	Apartments

PLANNED LAND USE

Subject Property	L (Low Density Residential) [Proposed M (Medium Density Residential)]
North	L (Low Density Residential)
South	L (Low Density Residential)
	SC (Service Commercial)
East	L (Low Density Residential)
West	ML (Medium-Low Density Residential)

EXISTING ZONING

Subject Property	R-3 (Medium Density Residential)
North	R-1 (Single-family Residential)
South	R-1 (Single-family Residential)
	C-1 (Limited Commercial)
East	R-1 (Single-family Residential)
West	R-3 (Medium Density Residential)

<i>SPECIAL DISTRICTS/ZONES</i>	YES	NO
SPECIAL PLAN AREA	X	
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

<i>EXISTING GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>
L	5.49 du/ac or 1 unit	M	25.49 du/ac or 4 units

The proposed change would permit a density nearly five times greater than what is currently permitted on this site. It is noted that the current zoning on this parcel is R-3 (Medium Density Residential) and that this application would bring the General Plan into conformance with the zone. As the surrounding neighborhood is single-family residential it would be preferred that in place of multi family development and a General Plan change a single-family development and a Rezoning to R-1 (Single-family Residential) be completed.

DEFINITIONS

L (Low Density Residential) (3.6 to 5.5 units/gross acre) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

M (Medium Residential) (12.1 to 25 units/gross acre) The Medium Residential category permits a maximum of 25 units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

INTERAGENCY ISSUES

SPECIAL PLAN AREA

The subject property is in the West Las Vegas Plan area. The subject parcel is not identified for any changes to the land use designation as part of the West Las Vegas Plan. The Plan indicates the need to protect the adjacent single-family residential uses.

ANALYSIS

The proposed General Plan Amendment is part of a project that proposed to place a four unit condominium complex on a small parcel in what is currently a single-family neighborhood. This is not considered appropriate. Although the parcel is currently zoned for Medium Density Residential use, this is inconsistent with the abutting uses. The current General Plan Designation of L (Low Density Residential) matches the surrounding area and should be the leading factor dictating that this parcel remain single-family to be compatible with the surrounding homes.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed General Plan Amendment would permit development that is nearly five times the density of what is currently permitted on this site. This change would allow multi family development that is far more intense than the surrounding single-family homes. This change is not considered compatible with the neighboring properties and denial of this request is recommended.

In regard to “2”:

The zoning district is currently R-3 (Medium Density Residential) and is not proposed to change. It is not known why this particular parcel was left as R-3 (Medium Density Residential) when the surrounding area is R-1 (Single-family Residential). It would be preferred that this parcel be rezoned to R-1 (Single-family Residential) to match the surrounding area as this is currently inconsistent with abutting uses.

In regard to “3”:

There are adequate amenities in the area to accommodate the proposed development. Local streets and facilities are capable of handling a development of this size.

In regard to “4”:

The proposed development requires several other deviations from requirements as discussed in the companion staff reports. These include residential adjacency, both of the 3:1 slope requirement and of trash enclosure location. Additionally landscape requirements are requested to be waived. These deviations are not considered appropriate and are a portion of the reason for the denial recommendation.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 07/05/06 a neighborhood meeting sponsored by the applicant was held at the Doolittle Community Center, 1950 "J" Street. The meeting began at 5:30 p.m. and concluded at 5:50 p.m. No members of the public were in attendance, one applicant representative and one city staff member were present.

PLANNING COMMISSION ACTION

There was one speaker in opposition.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 227 by Planning Department

APPROVALS 0

PROTESTS 0